IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6384 OF 2006

Joginder Singh Kahaan and ors. ..Petitioners

V/s.

Mahalaxmi Iyer @ Mahalaxmi J. Kahaan ..Respondent

Mr.K.K.V.Kurup, advocate for petitioners
Mr.H.S.Venegagavkar, advocate for respondent

Coram : S.J.Vazifdar, J.

Date : 9th January, 2007

P.C.

1. The only question today is whether the petitioner was married to the respondent. I do not suggest that the question is free from doubts. Indeed, this is a matter which requires to be heard and decided finally and expediously.

2. The question is whether interim interference with the interim order is warranted. The learned Judge has listed 19 documents in paragraph seven of the impugned order. All of them do not contain

admissions to the effect that the petitioner is the husband of the respondent. However, in same documents such admissions are to be found. In view thereof the order of maintenance so far as the petitioner is concerned, is not warranted.

3. If the petitioner is aggrieved by the order of maintenance in respect of the children who have reached majority, he is at liberty to make appropriate application before the Family Court for modification of the said order. The family Court is requested to decide the main petition as expediously as possible.

4. As regards the grievance about the cancellation of the advocate's Vakalatnama, the petitioner is at liberty to make an appropriate application.